



STATE OF WEST VIRGINIA  
OFFICE OF THE GOVERNOR  
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EARL RAY TOMBLIN  
GOVERNOR

February 24, 2015

**VIA HAND DELIVERY**

The Honorable William P. Cole  
President, West Virginia Senate  
Room 229M, Building 1  
State Capitol  
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill No. 335

Dear President Cole:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return the Enrolled Committee Substitute for Senate Bill No. 335.

This bill was introduced at my request, and I support it wholeheartedly. However, the bill's final version contains three technical issues I believe the Legislature should repair. First and foremost, the bill's definition of "opioid overdose prevention and treatment training program" references the wrong state government agency. See § 16-46-2, page 3, lines 31-34. The Office of Emergency *Medical* Services should be referenced on page 3, line 33, rather than the separate and independent Office of Emergency Services.

Second, the bill's § 16-46-4(a)(1) references a training program to be established, as "required by subsection (b), section six of this article." See § 16-46-4(a)(1), page 5, lines 6-8. Although the separate § 16-46-6(b) authorizes the Office of Emergency Medical Services to establish training programs through legislative rulemaking, the authorization is explicitly limited to implementing the provisions of section six. See § 16-46-6, page 8, lines 48-56. The authorization needs to apply more broadly to the entire article. Accordingly, the word "section" should be revised to read "article" on page 8, line 48.

Third, the deadline "by March 1" in the bill's § 16-46-6(a)(3) is imprecise without additional language indicating whether it is an annual or one-time deadline. See page 7, line 43. This deadline could be amended to include the "and annually thereafter" or the "of each calendar

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year" language found elsewhere in section six. *See, e.g.,* § 16-46-6, page 6, line 1 and page 7, lines 28-29.

I urge the Legislature to amend these technical issues, and to return the bill to my desk. I look forward to signing this important piece of legislation.

Sincerely,

A handwritten signature in black ink, reading "Earl Ray Tomblin". The signature is fluid and cursive, with the first name "Earl" being the most prominent.

Earl Ray Tomblin  
Governor

cc: The Honorable William P. Cole  
President, Senate of West Virginia

The Honorable Natalie E. Tennant  
West Virginia Secretary of State